

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

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IN RE:

PETITION OF TENNESSEE-  
AMERICAN WATER COMPANY TO  
CHANGE AND INCREASE CERTAIN  
RATES AND CHARGES ...

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DOCKET NO. 04-00288

**CMA'S REPLY TO TENNESSEE AMERICAN WATER COMPANY'S  
OPPOSITION TO HOLDING HEARING FOR RATE INCREASE IN CHATTANOOGA**

Comes now Intervenor, Chattanooga Manufacturers Association ("CMA"), by and through counsel, and submits this reply to the Tennessee American Water Company's (the "Company") opposition to CMA's request for the hearing in this matter to be held in Chattanooga, stating as follows:

1. It is incontrovertible and uncontested that the Petitioner Company conducts its business and obtains its profits from Chattanooga citizens and ratepayers. The persons and entities to be most affected by the Company's request to increase its rates are located in Chattanooga and should be accorded as much deference as possible with regards to providing opportunities for them to give public testimony and/or attend the multi-day hearing as it is conducted. Each of the parties' counsel in this matter represent the interests of those located in or doing business in the City of Chattanooga. The Company's attempts to downplay the importance of conducting the hearing in Chattanooga or exaggerate perceived inconvenience (including that to the Company's witnesses) should be dismissed, especially since it is Chattanooga ratepayers from whom the Company seeks to extract its profits through this petitioned rate increase.

2. CMA avers that reasonable accommodations for a hearing room could be obtained by

or through the State of Tennessee Office Building, Hamilton County Commission Chambers, City of Chattanooga Hearing Room(s) or other facilities in Chattanooga. CMA notes that the State Attorney General's Consumer Advocate Division and the City of Chattanooga, respectively, have supported CMA's request for the hearing to be conducted in Chattanooga, Tennessee; thus, CMA avers that difficulty would not be encountered in obtaining an appropriate forum in which to conduct the hearing in Chattanooga.

3. On January 11, 2005, CMA served, via facsimile and U.S. mail, its request for the hearing to be conducted in Chattanooga, Tennessee on counsel for the other parties, as well as supplying the same to the Tennessee Regulatory Authority via fax and Federal Express. Furthermore, several months ago, CMA indicated to the Hearing Officer and other counsel its intention to request that the contested case hearing be conducted in Chattanooga.

4. Also, on January 11, 2005, the Hearing Officer in this matter entered a Notice indicating that the hearing would take place before the Authority between January 31, 2005 and February 3, 2005 and allowing seven (7) days for objections to that Notice to be filed. Thus, the CMA's request to hold the hearing in Chattanooga was timely filed based on the Hearing Officer's own instructions.

Based on the foregoing, the Chattanooga Manufacturers Association, by and through counsel, respectfully requests that the Authority grant its request to hold the hearing in Docket No. 04-00288 in Chattanooga, Tennessee.

Respectfully submitted,

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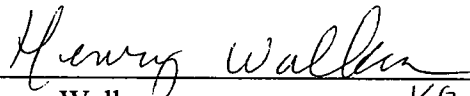
**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 18<sup>th</sup> day of January, 2005, served the foregoing pleading either by fax, overnight delivery service or first class mail, postage prepaid, to all parties of record at their addresses shown below:

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